L.7.53-11

G. R. S. IX-5]

Previous references.

L. B 3-94 / 1900-01 ~~191~~.

(L.B)

Later references.

File No. 4 J 1900

Serial Nos. 1—11

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1— 11

M. ~~Part~~ B for June, 1904.

SUBJECT.

Refund of the amount deposited by one Sanjiva Rao on account of the Contract for leasing fees at Sandemarana halli Market.

Pendency

Govt

Office of the Dewan of Mysore

File No. (j y)

Directions.

No.; date and purport of receipts to be entered in red, and office note in black ink in order of dates.—To be written only on one side, and inside the line of margin.

Office

Branch Local Boards Branch

Subject Letter no 327 dated the 13th December 1902 from the Dy Commissioner & President of the D. B. Board, Mysore Distt requesting on the Petition of Ranjeeva Rao who prayed that the amount deposited by him for the Santemaralli Market Contract might be refunded to him.

The right of collecting fees at the Santemaralli Market during the year 1899-1900 was sold to one Ranjeeva Rao the highest bidder for Rs 249/- a month or Rs 2988/- for the whole year as required by the sale notification Ranjeeva Rao deposited two months' kists viz Rs 498/- in advance and paid the monthly instalments regularly for 8 months. Under date

vide Assistant Comr's report & Dy Comr's letter no 1530/618 dated 1899 Confirming it

Flag A

(Correspondence papers returned to the Asst)

vide final report dated 31st Aug 1903

Flag B

Flag C

the 5th April 1900 however he presented
a petition to the Dy Commissioner
stating that owing to the outbreak
of plague in the villages of Y
Karasipur Taluk and at Lambemaralli
and the precautionary measures adopted
by Government of prohibiting the removal
of carts from alighting the market and
of shifting the market itself to another
place he suffered heavy loss, and
praying that he might be ordered
to be given Rs 748-6-6 besides re-
munerating him suitably for the work
done by him

2 On this the Deputy Commissioner
passed the following order on the 11th April
1900 and directed it to be communicated
to petitioner through the Amildar :-

"As the petitioner has taken up
the contract he must take the con-
sequences. There is nothing to be done"

* Dy. Comrs no. 2563 of 11th April 1900.

Flag C

The Appeal to Government is against the aforesaid order of the Deputy Commissioner

4 In reporting the above facts the President states that the petitioner's properties have been attached for the recovery of arrears, viz Rs 404-0-8 and that further proceedings have been stayed pending Government orders in the matter

5 The arrears due from the petitioner amount to Rs 404-0-8 as detailed below

1. Balance of the kist due for the month of March 1900	}	Rs a. P 155-0-8
2. Jule kist for April '00	=	249-0-0
Total	=	404-0-8

6 The original records received with the Peishcar's report bear out the above facts. But there is nothing in them to show that any attempt was made by the Taluk authorities to

vide Amil's report no. 128 dt 31st May 1900 & President's present letter.

⊕ Flag B

to ascertain the actual collections made by the petitioner especially during the latter part of the year of his Contract so as to enable the Government to decide whether the petitioner has a real grievance

The Amildar has, however stated in his final report (Flag B) that apart from the petitioner's statement in his appeal petition that he sustained a loss to the extent of Rs 870-13-6 there is nothing on record to show that that statement is true nor has his accounts been verified in the Taluk Office (vide his final report flag B)

7 Submitted for orders the original copy of the appeal petition has not been received from the President

To be sent for.

MJ 8/1/04 The President may perhaps be requested to give his own opinion in the matter of the refund or remission of the arrears due by the Peti[tioner]

JB 13/1/04

5

Please call for a report on the facts Whether Plague broke out as usual? Whether there was any express order prohibiting the Carts from going to & from the Sante field? Whether the Sante field was altered to any Considerable distance during the Contract & what effect it had on the fair. The Dy President's opinion on the merits should also be given.

17/1/4

A.S.Ch
Dy 18/1/04

Dd 19/1

9 Please see dockets 2688 & 2025 dated the 22nd January & 2nd February 1902 calling for a report as above and also the Board's opinion in the matter

Flags DS 2

2688 L7 53-97 2025 L7 53-97

10 In reply, the President has submitted a copy of the Board's resolution

in No. 449 15th Feb 04

from which it will appear

(1) that there was plague in the vicinity during the currency of the contract in question ie from the 24th February 1900 to 6th March 1900;

(2) that there was no order preventing persons or carts from going to or returning from the market in question but that it is said that in the adjoining British territory the villagers thereon were keeping out the persons that returned from the Mepome territory

(3) that the sanité side was not altered at all

(4) that during plague the attendance was not so much as on other days; and

(5) that out of 26 members present, 9 voted. that moiety of the amount

amount due by the contractor might be remitted while the rent is voted

11 that no remission should be granted

Patch precedents for remission in such cases has been sanctioned by Govt.

The Presidents' own opinion on the merits of the case has not been furnished as requested

Submitted for orders

DJ 24/2/04

25/2/04

25/2/04

Resubmitted

+ Flag F in the linked file

12. Please see G. P. No. 12313-21 / C.7.45-96 wherein sanction was accorded to a remission in favour of the Mudi-Kole toll Contractor for 1898-99 of an amount equal to the difference between the average collection at the toll-bar during the previous five years and the amount of the bid for that year

DJ 26/2

13 In the present case, the collection are stated to have been sold of market rents ~~[illegible]~~ for the first time ~~[illegible]~~ for Rs 249 per mensem, (Vide Mr. Asst. Commr P. Srinivasa Rao's note of 27th May 1899) or Rs 2988 per annum. The revenue for subsequent 3 years was as shewn in the margin. JB 27/2/04.

& Flag A

1901-02 —	3516
1902-03	8540
1903-04.	8540

Cable to the Diwan
through the 2nd Commissioner

29/2/04
2/3

4 I doubt whether he is entitled either to a refund or to a remission - I think the majority of the Board have arrived at a correct decision - The petition may be rejected -

2-3-04

2/3/04

5 Mr Leeuwe's opinion seems a correct one. I would not recommend any departure

5.3.04

162.88
3.3.04.

A.S.M
Rec'd 7/3
Desp 8/3/3

7/3 7P/6 The Petitioner was informed by endorsement no. 3460 dated the 53-97
12th March 04 that his request could not be complied with.

9

17 The Petitioner Sanjeeva Rao having appealed to His Highness, the petition has been transferred to this Secretariat for early report. The file of papers connected with the case is therefore submitted for orders

Dm 21/5/04

21/5/04

Subd to the Dewan
24/5/04

The case has been finally disposed of

17951/25.V.04.

* with Private Secy's No. 3499 d: 11 May 1904

Submitted to His Highness.

as called for in P. S. N° 3499

of 11th May 1904.

26.V.04

11

Record of Case submitted for the orders of His Highness the Maharaja.

DATE 27.5.04
NO. 1716

Subject.

Memorial of Sanjiva Rau of Ramasamudra village, Chamarajnagar Taluk regarding the return of the money deposited by him in Connection with his Contract for levying fees at Santemarhalle during 1899-1900.

Order.

DATE 6.6.04
NO. 1823

I see no reason to interfere & petitioner may be informed accordingly.

~~KRW~~
31/5/04

Ordered
2.VI.04

31/5/04

ow 7/6
A.S.ch
Sd 7/6

6/6/04

(1) 190ø

nitted

1) In time from the date of the Amildar's evet communicating the order of the Deputy Commr

2) Stamp Sufficient

3) The petr prays also for Stay of sale of his property pending final orders on this appeal. The sale is alleged to take on the 20th of this month, but the petn has been received only yesterday.

4) The petr has also sent Rs 2/- by money order for sending a telegram staying sale. (This amount be returned)

22-5-01

1) To D' Comr for report with records

2) The sale cannot be stayed

25/5/07

No. 2470

Name of Petitioner Sanjiva Rao, late Contractor

Village Ramasamudra

Taluk Chamarajanagar

District Mysore

Date of Arzi 15-5-01

Date of Receipt 21-5-01

Date of Disposal

No. of Enclosure one

ABSTRACT

The petitioner appeals against the Deputy Comr's order No. 7565 dated 11-4-190 conveyed to him by the Amildar's Endorsement No. 1161 dated 8-5-01.

The endorsement is as follows:-

"Read your petition registered No. 163 dated 25/4/0 stating that you have sustain great loss in your contract

of the market of Sankemarahalli
and praying for the refayment
of the money deposited by
you for it.

"In reply to your petition
No. 2502 dated 5-4-00 to
the District Huzur in the
matter, endorsement No. 7563
dated 11-4-00 has been received,
stating that, as you took up
the contract, you have to bear
the consequences, and that nothing
can be done now."

The petitioner states that
on account of the prevalence
of the plague in the village,
the authorities prevented the
ryots and villagers from going
to the fair, and removed
the fair to another place;
that this prevention was the
cause of this great loss; that
the market was in his possession
for ten months; that during

during this time he has paid
to Govt by instalments
more money than what he
realized; that he has
sustained a loss of Rs 870
and odd; that the order
now appealed against was
not communicated to him
for thirteen months; that
the time between the date of
the receipt of the above order
and the date fixed for
selling his property for the
recovery of the arrears due
by him to Govt is so short
that he is unable to do anything
to extricate himself from
his troubles; and that
he hears that his property
is to be sold on the 20th of
this month.

He prays that the above
amount of Rs 822

ನಂ. 2470

ಹುಜೂರು ದಿವಾಣ ಕಚೇರಿಯಿಂದ.

ಅರ್ಜಿದಾರ ಇಲ್ಲಿ ಮತ್ತು ಅವನಸಂತಾನದವರು ಈ ವಂಶದ ಮುಖ್ಯಸ್ಥ ಆಗಿರುವ ನಂಜೇ ಮುರಕಲ್ಲಿ ನಂಜ್ರೆ ಮೈಸೂರು ಇಂಡಾರನ್ ಹುಕುಂ

ನೀನು ಹುಜೂರಿಗೆ ಗುಜರಾಯಿಸಿದ 15 — 5 — 1901 ನೇ ಮುಖ್ತಿನ ಅರ್ಜಿ

ವಿಷಯದಲ್ಲಿ ಡಿ. ಕೆ. ಏಜೆಂಟ್ ಮಲ್ಲಿ ಡಿ ಕೊಡಗಿನ ಸೆಟ್ಲ್ಮೆಂಟ್ ಕಮಿಷನರ್ ಅವರಿಗೆ ಬರೆದ ಪತ್ರದ ನಕಲಿ ಮತ್ತು ಅದಕ್ಕೆ ಉತ್ತರವಾಗಿ ಸದರಿ ಕಮಿಷನರ್ ಅವರು ಬರೆದ ಪತ್ರದ ನಕಲಿ ಮತ್ತು ಅದಕ್ಕೆ ಪ್ರತ್ಯುತ್ತರವಾಗಿ ಸದರಿ ಏಜೆಂಟ್ ಅವರು ಬರೆದ ಪತ್ರದ ನಕಲಿ ಮತ್ತು ಅದಕ್ಕೆ ಸದರಿ ಕಮಿಷನರ್ ಅವರು ಬರೆದ ಪತ್ರದ ನಕಲಿ ಮತ್ತು ಅದಕ್ಕೆ

Pet 1810 (2)

MYSORE DEWAN'S OFFICE.

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying Appeal Petition No. 2470 dated 15-5-01 received at the Dewan's Office from Sanjiva Rao, late Contractor Ramasamudra village, Channarayapatna Taluk, praying for the repayment of the money deposited by him for the Sante Maralli Contract & for the stay of sale of his property in satisfaction of the dues towards the said Contract &c

is forwarded, together with its one enclosures, to the Deputy Commissioner of the Mysore District for submission of the entire proceedings connected with the case, together with a full report of the facts of the case, and on the points urged in the petition.

2. The petition with its enclosure should be returned.

Draft By order,

for Secretary.

BANGALORE,
28/5/1901

30th

25/5

L/384

1903-904.

MYSORE GOVERNMENT. 19-12-03 Ret 481 REVENUE SECRETARIAT.

From The Deputy Commissioner of the Mysore District

To The Secretary to the Government of Mysore, General and Revenue Departments.

Dated 13th December 1903

Despatched 14th December 1903

Received 23.12.03

Enclosures No. one file

General No. 327

Reporting upon the reduction of Sanitary Rec.

Rec.

18.12.03

Rep submitted

21.12.03

Dup

The collection of fees at Vanteesers to be octroi collection.

~~Mr. Rice~~ be Transf.

to Mr. Rice @ 30 rds Brass

23/12/03

A.S.Ch

23/12/03

Mark note put up Mar 6/1/04

No 2688 dated 24/12/03 To Revenue

No. 32

Enclosures No. 1

OFFICE OF THE DEPUTY COMMISSIONER.

MYSORE DISTRICT.

Dated, Camp Bilikere 13th December 1903.

To H. C. Anjinedayya Esqr. B.A., B.L.,

The Secretary to the Government of Mysore,

General and Revenue Departments.

Sir,

Referring to your docket No. 1810 dated the 28th May 1901 calling for a report with records on the petition of Sinjeeva Rau, late Contractor residing in the Kanavanuda village in the Chamarajanagar Taluk, praying for the repayment of the money deposited by him for the Santemarahalli Contract, I have the honor to State that the right of collecting fees at Santemarahalli market for the year 1899-1900 was given to the petitioner as he was the highest bidder for Rs 249/- a month or Rs 2988/- per annum. He deposited as per sale notification a Sum of Rs 498/- and paid ~~[illegible]~~ the monthly

regularly
instalments for a period of 8 months.
On the 5th April 1900 he presented
an application to this office, praying
for the remission of Rs 870-13-6, on
the ground that he had suffered a great
loss on account of the prevalence of
plague in the place, but his petition
was rejected on the ground that he
having obtained the right in a public
auction, was responsible for the result.
It is against this order that he has
appealed to Government.

Balance of the instalments due for the months of March & April 1900 ... 155-0-8
... 249-0-0
... 404-0-8

2. The amount due by the peti-
-tioner is Rs 404-0-8 as shewn in
the margin.

3. A notice of demand was served
on him, as he failed to pay the
arrears and further proceedings were
taken with a view to the sale of his
immovable property which had
been
prior to this attached for arrears of

Some Arrears due - the Rent Levied
paid in later arrears, and so the
attachment of the said property on
account of the former Sale Continues.
pending the orders of Government
further proceedings have been stayed.
4. The remembrance Correspondence
on the Subject is herewith forwarded.

I have the honor to be,

Sir

Your most obedient Servant.

J. Wheeler

Deputy Commissioner

of the Tinnevelly District

2 encls to the covering
- proceedings, the Secretary
ought to act
submit the Board's
opinion as well. Q
27/1/04

The President of
the District Board
Bapatla Distt

His letter No. 327 dt
the 13th December 1903 re-
porting on the petition of
Sanjeeva Rao Contractor,
~~who prayed~~ praying that the money
deposited by him for the
Santeravuballi contract
might be refunded to
him.

2688
L.253-97 27/1/04

With reference to
the above, has the honour
to request that the Presid-
ent will be good enough
to report whether plague
actually broke out during
the petitioners term of Contract

as alleged by him, whether
if so when
there was any express order
prohibiting the carts from
going to and from the Santé
freely, and whether the
Santé site was altered
to any considerable distance
during the contract and
what effect it had on
the fair. He is requested
~~Requested further~~ to let the President
~~his~~ own opinion on the
merits of the case may
also be furnished.

By order,

J B
20/1/04.

Jan 12.

Dr J 19/1/04

Secy U. 2 Dept

2825 — 82/1/04
C.S-3-97

96-

The Presdt of the
District Board,
Mysore Distt

In continuation of
this office docket no.
2688 dated the 22d
C.S.53-97
January 1898 calling for
certain information in
regard to the petition
of Ranjeeva Rao, contractor
for bazaar fees at Santé-
maralli, market, have
the honour to request that
the President will be
good enough to submit
the Board's opinion in the
matter as well. "By order"

2d Cos'
order)

30/1/04
for Secy

(87) L 1794

1903-04

From

K. Venkatavaradayyangar Esquire
President of the District Board
Mysore District

To

R. Anantaswami Rao Esquire B.A.
Secretary to the Government of
Mysore in the Revenue and General
departments

Dated 15 February 1904

Despatched

Received

General No. 449

No.

Enclosure No. 1

Forwards copy of the resolution in-re the prayer of the Contractor of Saidémarenahally market.

L.J.
17.2.04

53-97

A.S.M.

Note Contd 24/2 23/

No 4467

Office of the President
of the Awards Board
Mysore Awards
Dated Mysore 6th February 1904

From.

B. H. Venkatramanaiengar Esquire
President
of the Awards Board Mysore.

To

L. Krishnaswamy Row Esquire
Secretary to the Government
of Mysore
in the Revenue & General Department

Sir,

Referring to Government order
No. 2825 L.F. 53-97 dated the 2nd February
1904 regarding the prayer of the contractor
to collect fees in the Sandalwood
market in 1899-1900, for remission on
account of plague, I have the honor to
state that the Board has passed the
following resolution:

(1) There was plague in the
District during the currency of the

Contract in question i.e from 24th February 1900 to 16th March 1900.

(2) That there was no order preventing persons or carts from going to or returning from the market in question

(3) That the Santé Sela is not altered.

(4) During plagues the attendance was not so much as on other days.

5 That out of the 36 members present 9 voted that only moiety of the amount due by the Contractor might be remitted while the rest 17 voted that no remission should be granted

A copy of the Boards resolution is herewith forwarded.

I have the honor to be
Sir,
Your most obedient servant

for President
of the District Board
Mysore District

hl

Proceedings of the District Board of the Mysore District, Dated, the 4th: February 1904.

14: Read the Correspondence ending with Government order No: 2825 of the 2nd: February 190, P.P: 53-97 regarding the prayer of the contractor for collecting fees in the Santémarahally market in 189, 1900 for remission on account of plague.

Resolved that the following replies be Submitted to Government.

(1) That there was plague in that Vicinage during the currency of the contract in question, i.e from 24th: February 1900 to 16th: March 1900.

(2) That there was no order preventing persons or carts from going to or returning from the market in question, but that it is said that in the adjoining British territory the Villagers therein were Keeping out the persons that returned from the Mysore territory

(3) That the Santé (or market Site) was not altered at all.

(4) That it has been said that during plague the attendance was not so much as on

other

other days.

(5) That out of the 26 members present 9 voted that a moiety of the amount due by the Contractor might be remitted on grounds of pity that being the first year of plague, while the rest, Viz 17, voted that no remission should be granted as it would become an inconvenient precedent for the Contractors of the Subsequent years and afford them ground for similar prayers for concession.

Sd/- B. K. Venkata Varada Iyengar
President of the
District Board

Extract.

W. [illegible]

For President of the
District Board
Erode.

The original petition is not in the file when it came home for despatch nor is it in the records sent to D.C. Hn 12/3/04

No. 3468
L. F. 53-97

MYSORE DEWAN'S OFFICE,
LOCAL BOARDS BRANCH.
The 12/3/1904

ENDORSEMENT granted to late Ranjeera Rao Contractor for Octroi fees at Kundemarahalli Market in Ramasamudra village, Chamarajnagar Taluk in reply to his Petition Registered No. 2470 dated the 15th May 1901 praying that, in the circumstances represented, he may be given back the money deposited by him on account of the contract and that pending orders the sale of his property in satisfaction of arrears due from him may be stayed

Petitioner is informed that

Seen 3/3/04

the matter was placed before the District Board, Nagar at a meeting held on the 4th Feb: last, & was then resolved that 17 members have voted against & that no remission should be granted to him, and that the collective opinion of such a large number cannot be disregarded

his request cannot be complied with

By order

Dewan's Order 10/3/04

Offg Secy By Order,

8/3/04

Remark 3469 / L.F. 53-97 12/3/04 10/3/04

Offg forwarded to the Secretary

President

Please deal with the Distt. Branch,
Bagalkot Distt, with reference
to the correspondence ending
with letter no 449 dated the
15th February 1902. The
file of vernacular papers con-
nected with the case is here-
with returned.

Yours obedt.

[illegible]
[illegible]

[illegible]
18/3/02

[illegible]
20/3/02

L2563

(OS (Rly) No 3468 dt 11/5/04
encl

Transferring the petn of the
Secretary to the Govt of
Mysore, Rly Dept for
remarks & report.

1897 E. Macdonald
Rewards Secretary

Y Y

References encl

27
17-5-04

468 - 12-3-04 [illegible]
53 of 97 [illegible]

5

Transferred to the
Local Boards Branch
where the reference papers
are

27
7-5-04

A-S-Ch
Orig 18/5/04

Three Govt Nos L.T. 45-96
Petitioners [illegible]
Registered Title Deeds Subs
1915 [illegible]

Rel
19/5-

1904

No. 2548

Name of Petitioner: Sanjeeva Rao

Village: Late Govt for levying fees at Sandemaratally market. Ramasamudra

Taluk: Chamarajnagar

District: Mysore

Date of Arzi: 9/5/04

Date of Receipt: 14/5/04

Date of Disposal:

No. of Enclosure: 1

To Sanjeeva Rao, Chamarajnagar No 1885 Dy 13/5/04

Addressed to H.H. the Maharaja

ABSTRACT

With reference to Govt Order
No 3468 - dated 12/3/04
L.T.53-97
understanding that he was prayed for
the return of the amount
deposited by him could not
be complied with & State & that
owing to the prevalence of
plague in 1899-900 in
Nanjangud & and in
Sandemarahalli, Cauvery &
were not allowed by Govt
Authority to come to the
market and place of market

MGCPB—5,000—10-11-02

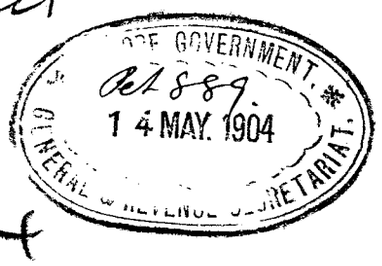
was that consequently
the income from maintab was
much reduced and that the
same was immediately reported
to the [illegible] on 27/5/04.

Prayed that the entire records
connected with this case
be perused, that the return
of his deposit amount as well
as the [illegible] paid by him
in excess be ordered, that
the amount sustained by him
be permitted and that the
stay of sale of his property
by the latter on 27/5/04 for
arrears of amount be ordered
pending the disposal of this
case.

Sep
17/5/04.

103499
Encl

Dated 14/5



OFFICE OF THE PRIVATE SECRETARY TO
HIS HIGHNESS THE MAHARAJA OF MYSORE.

Dated Ooty, 11th May 1904

Petition as shown below, to His Highness the Maharaja, is transferred to the Secretary to the Government of Mysore, General and Revenue Departments, Bangalore, for early report.

No.

1632 dated 9-5-04.

By Order,

I. C. S.
Private Secretary
to H. H. The Maharaja of Mysore.

1632

Mysore Government
General and Resume Secretariat
Petition Department
Reg'd No 25681
Date

No. 4856 Revenue
L. F. 53-97

MYSORE DEWAN'S OFFICE,
LOCAL BOARDS BRANCH.
The 13/6/ 1904

ENDORSEMENT granted to Sangeeva Rao, late Contractor for bazar fees at Sandemarahalli market residing in Ramasamudra, Chamarajnagar Taluk

in reply to his Petition Registered No. 2548/2563 dated the 9th May 1902 to the address of H. H. the Maharaja, appealing against the order of Govt that his request cannot be complied with.

Petitioner is informed that His Highness the Maharaja sees no reason to interfere. The enclosure to his petition is returned. "By order."

H. H's order)

8/6/04.
for Offg Secy
Avg 7/6/04

Seen
20/6/04

5/6

~~y Order,~~

~~Secretary~~